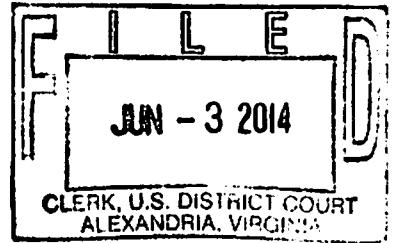


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division



JODI C. MAHDAVI,

Plaintiff,

v.

Civil Action No. 1:14-cv-648 TBC/TCB

NEXTGEAR CAPITAL, INC.,

and

P.A.R. SERVICES, INC.

Defendants.

NOTICE OF REMOVAL

COMES NOW the Defendant, Nextgear Capital, Inc., (hereinafter "Defendant"), by counsel, pursuant to 28 U.S.C. §§ 1441 and 1446, and hereby files this Notice of Removal, removing the above-styled action pending in the Circuit Court of Fairfax County to this Court. In support of this Notice, Defendant respectfully states as follows:

1. On or about May 29, 2014, Plaintiff filed a Complaint styled *Jodi C. Mahdavi v. Nextgear Capital, Inc. and P.A.R. Services, Inc.*, in the Circuit Court for the County of Fairfax, Case No. 14-7294. A copy of the Complaint is attached to this Notice as Exhibit A. Plaintiff also filed a Motion for Temporary Restraining Order.
2. On May 30, 2014, the parties appeared for a scheduling conference with the Circuit Court for the County of Fairfax. The Circuit Court set a hearing on the Motion for Temporary Restraining Order for Monday, June 2, 2014.
3. Nextgear has not received any notices, orders, or pleadings from the Court. *See, 28 U.S.C. § 1446(a).*

4. Upon information and belief, Plaintiff Jodi C. Mahdavi is a resident of the state of Virginia. *See, Exhibit A* (listing Ms. Mahdavi's address as 915 Fairway Dr. Vienna, VA 22180).

5. Nextgear Capital, Inc. is incorporated under the laws of Delaware, with its principal place of business in Atlanta, Georgia.

6. Upon information and belief, Defendant P.A.R. Services, Inc. is a Maryland corporation with a principal business address of 6504 Yochelson Place, Clinton, MD 20735.

7. The United States District Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. § 1332. There is diversity of citizenship among the necessary and properly named parties and the amount in controversy, exclusive of interest and costs, exceeds \$75,000. *See, Exhibit A* (seeking "compensatory damages in the amount of One Hundred Thousand Dollars (\$100,000.00)"). This action is therefore removable to this Court pursuant to 28 U.S.C. § 1441.

8. This Notice of Removal is timely pursuant to 28 U.S.C. § 1446(b). Plaintiff has not served Defendant with a summons or the Complaint. Counsel for Defendants received an e-mailed copy of the Complaint and Motion on May 29, 2014. Upon information and belief, Defendant P.A.R. Services, Inc. has not been served.

9. Defendants are not citizens of the state in which the State Court Action was brought. *See, 28 U.S.C. § 1441(b).*

10. By filing this Notice of Removal, Defendant does not waive any of its denials, objections, affirmative defenses, or defenses under Rule 12 of the Federal Rules of Civil Procedure to Plaintiff's Complaint.

11. Pursuant to 28 U.S.C. §1446(d), Defendant has filed this Notice of Removal with the Circuit Court for the County of Fairfax, and has thereby notified the Clerk of said court of this removal.

12. A copy of the Notice to State Court of Removal filed in the Circuit Court for the County of Fairfax is attached hereto as Exhibit B. Defendant has served a copy of this Notice of Removal on Plaintiff in accordance with 28 U.S.C. § 1446(d).

WHEREFORE, Defendant respectfully requests that this action be removed to this Court from the Circuit Court for the County of Fairfax.

Respectfully submitted,

NEXTGEAR CAPITAL, INC.

By:



Of Counsel

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Counsel for Defendant Nextgear Capital, Inc.

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing Notice of Removal was sent via first-class mail, postage prepaid, this 30th day of May, 2014 to:

Jonathan E. Levine, Esq.
LEVINE, DANIELS & ALLNUTT, PLLC
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Counsel for Plaintiff

and

P.A.R. Services, Inc.
6504 Yochelson Place
Clinton, MD 20735

and

P.A.R. Services, Inc.
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860 Greenbriar Circle, Suite 301
Chesapeake, VA 23327

Amy W. Wieg